NATION

VOTE OF CONFIDENCE

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In 1956, William S. White, a reporter for *The New York Times*, published a book on the United States Senate. The Senate of *Citadel* was a place, according to Mr. White, "upon whose vitality and honor will at length rest the whole issue of the kind of society that we are to maintain." Mr. White, after examining the works and workings of the Senate of those days, found both to be good. He evaluated the members of the Senate and found many of them to be giants among men. He examined the rules of procedure and found them wholly satisfactory and appropriate, if not inspired, and sanctioned beyond time and history.

The popular judgment of the United States Senate today is that it is something quite different from the Senate described by William White. It is charged with failing to meet its responsibilities, as being unresponsive to national needs, confused and incompetent, tangled in its own rules, distinguished principally by its respect for the seniority of its members and its use of the filibuster, and serving at best as a platform from which to launch Presidential campaigns.

The Senate of 1971 is not the Senate of 1956; neither is it the Senate as described in popular criticism. Working under rather difficult circumstances, it has in the last twelve years made a record of positive achievement.

When I came to the Senate in 1959, the reputedly strong men of the past—Democrats like Tom Connally of Texas, chairman of the Foreign Relations Committee, Senator George of Georgia, chairman of the Finance Committee—were gone. And on the Republican side, such stalwarts as Robert Taft of Ohio, Arthur Vandenberg of Michigan, Eugene Millikin of Colorado, and others listed by White were gone. It had new leaders, new members, and new problems.

In the years immediately following World War II, the Senate was involved in settling the postwar world: first in ratifying the treaties with Germany and Japan; subsequently in deliberations and activities associated with establishing the United Nations, the North Atlantic Treaty Organization and the Marshall Plan. These were important tasks that the Senate performed very well.

In this same period, especially after 1948, the Senate was largely immobilized in dealing with domestic problems because nearly every issue—whether it was housing, education or anything touching upon the political, economic or social life of America—became a civil rights issue. And on civil rights the Senate was deadlocked.

Consequently from 1948 until 1959, the House of Representatives generally pushed ahead of the Senate in attempting to deal with domestic problems. A significant change occurred in consequence of the elections of 1958. In that year, ten new Senators, liberal on most domestic issues, were elected to the Senate: Thomas Dodd of Connecticut, Philip Hart of Michigan, Vance Hartke of Indiana, Gale McGee of Wyoming, Frank Moss of Utah, Edmund Muskie of Maine, Harrison Williams of New Jersey, Stephen Young of Ohio, Robert Bartlett of Alaska and myself. The immediate effect was that the initiative and aggressiveness on most domestic issues shifted from the House to the Senate. Now the Senate began gradually to move ahead of the House in its advocacy of new legislative programs, in increasing appropriations to support established programs, and in facing the civil rights issue.

It was not until the Presidential election of 1964, when in consequence of the candidacy of Senator Goldwater a clear liberal majority of Democrats was elected to the House, that the Congress as a whole was able to deal with the great mass of domestic legislation that had been in need of action, in some cases for nearly twenty years.

The concern of the Senate with domestic problems had both good and bad effects. The good effect was that much necessary legislation was passed. The bad effects were two: first, preoccupation with domestic problems caused the Senate to fail to give proper attention during these years to what was happening to international relations.

A consequence of the Senate's neglect of its responsibility for foreign policy was the gradual usurpation of power in this field by the executive branch of the government, through the growing use of executive agreements and executive actions without formal treaties. In some cases these merely continued wartime relationships, but new commitments—legal or extralegal—were also made during the time that John Foster Dulles was Secretary of State and his brother Allen was head of the Central Intelligence Agency.

The second bad effect of the Senate's concern with domestic problems was the change of the structure and operation of the Senate. This occurred especially while Lyndon Johnson was Majority Leader. The Senate was transformed into a kind of upper House of Representatives, with emphasis on committee work, roll calls and quantitative measurements of success. It became more or less a regular practice for Senator Johnson to announce the number of bills passed and to make comparisons with other Congresses, both in terms of timing and the volume of legislative action.

The Senate's influence on foreign policy was further weakened by the development of the cold war into an ideological conflict and the formalization of that ideological conflict in comprehensive treaties like SEATO and in resolutions like that on the Tonkin Gulf in 1964, through which Congressional criticism was not only stifled but Congressional power yielded to the Executive —sometimes even in advance of any defined problem, as in the case of the Middle East resolution passed under President Eisenhower in 1957.

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